

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

NOTICE OF PROPOSED REGULATORY ACTION EXTENSION OF COMMENT PERIOD

TITLE 13, CALIFORNIA CODE OF REGULATIONS, DIVISION 2, CHAPTER 6.5
AMEND ARTICLE 7.5, SECTION 1239

COMMERCIAL VEHICLE SAFETY ALLIANCE NORTH AMERICAN STANDARD OUT-OF-SERVICE CRITERIA (CHP-R-09-13)

The California Highway Patrol (CHP) proposes to adopt by reference the Commercial Vehicle Safety Alliance North American Standard Out-of-Service Criteria, April 1, 2010, Edition, in Title 13, California Code of Regulations (13 CCR). The current regulation incorporates by reference the Commercial Vehicle Safety Alliance North American Standard Out-of-Service Criteria, April 1, 2008, Edition. Section 34501(a)(1) of the California Vehicle Code (CVC) authorizes the CHP to adopt reasonable rules and regulations which, in the judgment of the Department, are designed to promote the safe operation of vehicles described in Section 34500 CVC.

The intent of these regulations is to adopt specific uniform criteria for determining whether or not a vehicle and/or driver, inspected by an authorized representative of the CHP, is in such an unsafe condition that they are likely to constitute a hazard on a highway. These regulations will incorporate by reference specified portions of the standards contained within the Commercial Vehicle Safety Alliance North American Standard Out-of-Service Criteria, April 1, 2010, Edition. Adoption of these criteria will continue to provide consistency throughout California, with neighboring states, Canada and Mexico, and provide a regulatory basis for enforcement efforts as they relate to commercial vehicle out-of-service criteria.

PUBLIC COMMENTS

In order to ensure required notice is provided and interested persons have adequate opportunity to submit comments, the public comment period outlined on the Notice of Proposed Regulatory Action "(noticed in Register 2010, #25Z, published June 18, 2010)" is extended until September 10, 2010. Any interested person may submit written comments on these proposed actions via facsimile to (916) 322-3154, by email to cvsregs@chp.ca.gov, or by writing to:

California Highway Patrol
Commercial Vehicle Section
ATTN: Officer Ron Leimer
P.O. Box 942898
Sacramento, CA 94298-0001

Written comments must be received no later than 4:45 p.m., September 10, 2010.